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**State Bar Court of California**  
**Hearing Department**  
**Los Angeles**

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<p>Counsel For The State Bar</p> <p>Rizamari C. Sitton          Deputy Trial Counsel          Office of the Chief Trial Counsel          1149 S. Hill Street          Los Angeles, California 90015          Tel: (213) 765-1364          Fax: (213) 765-1318          riza.sitton@calbar.ca.gov</p> <p>Bar # 138319</p>	<p>Case Number (s)          09-O-17011, 09-O-19216</p>	<p>(for Court's use)</p> <p align="center"><b>PUBLIC MATTER</b></p> <p align="center"><b>FILED</b></p> <p align="center">OCT 13 2010</p> <p align="center">STATE BAR COURT          CLERK'S OFFICE          LOS ANGELES</p>
<p>Counsel For Respondent</p> <p>Matthew S. Gibbs, Esq.          137 North Larchmont Blvd., Ste. 193          Los Angeles, California 90004          Tel: (310) 351-0145</p> <p>Bar # 176048</p>	<p>Submitted to: <b>Settlement Judge</b></p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND          DISPOSITION AND ORDER APPROVING</p> <p><b>ACTUAL SUSPENSION</b></p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter Of:          Rhonda Kay Walker</p> <p>Bar # 175108</p> <p>A Member of the State Bar of California          (Respondent)</p>		

**Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.**

**A. Parties' Acknowledgments:**

- (1) Respondent is a member of the State Bar of California, admitted December 12, 1004.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of 17 pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."

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- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
  - ☒ until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 284, Rules of Procedure.
  - ☐ costs to be paid in equal amounts prior to February 1 for the following membership years:  
(hardship, special circumstances or other good cause per rule 284, Rules of Procedure)
  - ☐ costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"
  - ☐ costs entirely waived

**B. Aggravating Circumstances [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.**

- (1) ☐ **Prior record of discipline** [see standard 1.2(f)]
  - (a) ☐ State Bar Court case # of prior case
  - (b) ☐ Date prior discipline effective
  - (c) ☐ Rules of Professional Conduct/ State Bar Act violations:
  - (d) ☐ Degree of prior discipline
  - (e) ☐ If Respondent has two or more incidents of prior discipline, use space provided below.
- (2) ☐ **Dishonesty:** Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3) ☐ **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) ☒ **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (5) ☐ **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (6) ☐ **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.

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- (7) ☐ **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.
- (8) ☐ **No aggravating circumstances** are involved.

**Additional aggravating circumstances:**

**C. Mitigating Circumstances [see standard 1.2(e)]. Facts supporting mitigating circumstances are required.**

- (1) ☒ **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious.
- (2) ☐ **No Harm:** Respondent did not harm the client or person who was the object of the misconduct.
- (3) ☐ **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings.
- (4) ☐ **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5) ☐ **Restitution:** Respondent paid \$ \_\_\_\_\_ on \_\_\_\_\_ in restitution to \_\_\_\_\_ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) ☐ **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7) ☐ **Good Faith:** Respondent acted in good faith.
- (8) ☐ **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (9) ☐ **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) ☐ **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) ☐ **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12) ☐ **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) ☐ **No mitigating circumstances** are involved.

**Additional mitigating circumstances**

(Stipulation form approved by SBC Executive Committee 10/16/00. Revised 12/16/2004; 12/13/2006.)

Actual Suspension

#### D. Discipline:

(1) ☒ **Stayed Suspension:**

- (a) ☒ Respondent must be suspended from the practice of law for a period of one year.
- i. ☐ and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii) Standards for Attorney Sanctions for Professional Misconduct.
  - ii. ☐ and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
  - iii. ☐ and until Respondent does the following:
- (b) ☒ The above-referenced suspension is stayed.

(2) ☒ **Probation:**

Respondent must be placed on probation for a period of two years, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)

(3) ☒ **Actual Suspension:**

- (a) ☐ Respondent must be actually suspended from the practice of law in the State of California for a period of sixty (60) days.
- i. ☐ and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct
  - ii. ☐ and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
  - iii. ☐ and until Respondent does the following:

#### E. Additional Conditions of Probation:

- (1) ☐ If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and learning and ability in general law, pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- (2) ☒ During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3) ☒ Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.

- (4) ☒ Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5) ☒ Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

- (6) ☐ Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.
- (7) ☒ Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (8) ☒ Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.
- ☐ No Ethics School recommended. Reason: .
- (9) ☐ Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (10) ☒ The following conditions are attached hereto and incorporated:
- |   |   |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions         | <input checked="" type="checkbox"/> Financial Conditions  |

#### F. Other Conditions Negotiated by the Parties:

- (1) ☒ **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**
- ☐ No MPRE recommended. Reason: .

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- (2) ☐ **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3) ☐ **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) ☐ **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5) ☐ **Other Conditions:**

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Attachment language begins here (if any):

SEE ATTACHMENTS 1-3.

<b>In the Matter of</b> <b>Rhonda Kay Walker</b>  A Member of the State Bar	<b>Case number(s):</b> <b>09-O-17011, 09-O-19216</b>
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## Financial Conditions

### a. Restitution

- ☐ Respondent must pay restitution (including the principal amount, plus interest of 10% per annum) to the payee(s) listed below. If the Client Security Fund ("CSF") has reimbursed one or more of the payee(s) for all or any portion of the principal amount(s) listed below, Respondent must also pay restitution to CSF in the amount(s) paid, plus applicable interest and costs.

Payee	Principal Amount	Interest Accrues From

- ☐ Respondent must pay above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than

### b. Installment Restitution Payments

- ☐ Respondent must pay the above-referenced restitution on the payment schedule set forth below. Respondent must provide satisfactory proof of payment to the Office of Probation with each quarterly probation report, or as otherwise directed by the Office of Probation. No later than 30 days prior to the expiration of the period of probation (or period of reprobation), Respondent must make any necessary final payment(s) in order to complete the payment of restitution, including interest, in full.

Payee/CSF (as applicable)	Minimum Payment Amount	Payment Frequency

### c. Client Funds Certificate

- ☐ 1. If Respondent possesses client funds at any time during the period covered by a required quarterly report, Respondent must file with each required report a certificate from Respondent and/or a certified public accountant or other financial professional approved by the Office of Probation, certifying that:
- a. Respondent has maintained a bank account in a bank authorized to do business in the State of California, at a branch located within the State of California, and that such account is designated as a "Trust Account" or "Clients' Funds Account";



**b. Respondent has kept and maintained the following:**

- i. A written ledger for each client on whose behalf funds are held that sets forth:
  1. the name of such client;
  2. the date, amount and source of all funds received on behalf of such client;
  3. the date, amount, payee and purpose of each disbursement made on behalf of such client; and,
  4. the current balance for such client.
- ii. a written journal for each client trust fund account that sets forth:
  1. the name of such account;
  2. the date, amount and client affected by each debit and credit; and,
  3. the current balance in such account.
- iii. all bank statements and cancelled checks for each client trust account; and,
- iv. each monthly reconciliation (balancing) of (i), (ii), and (iii), above, and if there are any differences between the monthly total balances reflected in (i), (ii), and (iii), above, the reasons for the differences.

**c. Respondent has maintained a written journal of securities or other properties held for clients that specifies:**

- i. each item of security and property held;
  - ii. the person on whose behalf the security or property is held;
  - iii. the date of receipt of the security or property;
  - iv. the date of distribution of the security or property; and,
  - v. the person to whom the security or property was distributed.
2. If Respondent does not possess any client funds, property or securities during the entire period covered by a report, Respondent must so state under penalty of perjury in the report filed with the Office of Probation for that reporting period. In this circumstance, Respondent need not file the accountant's certificate described above.
3. The requirements of this condition are in addition to those set forth in rule 4-100, Rules of Professional Conduct.

**d. Client Trust Accounting School**

- ☒ Within one (1) year of the effective date of the discipline herein, Respondent must supply to the Office of Probation satisfactory proof of attendance at a session of the Ethics School Client Trust Accounting School, within the same period of time, and passage of the test given at the end of that session.

ATTACHMENT 1: STATEMENT OF FACTS

IN THE MATTER OF:      RHONDA KAY WALKER

CASE NUMBERS:          09-O-17011, 09-O-19216

**STIPULATED FACTS**

Respondent acknowledges and stipulates that the following facts are true:

Case no. 09-O-17011

1. At all times pertinent herein, Elite Mortgage Services, Inc. (EMS) was a company that offered a variety of real estate products and services to other professionals in the real estate industry, including lawyers.
2. At all times pertinent herein, Respondent maintained her own law practice as a solo practitioner.
3. In February 2009, EMS referred Lynn Johnson ("Johnson") to Respondent for certain legal services. Johnson employed Respondent to perform legal services relating to a home mortgage loan, including but not limited to, negotiating with lenders "in an attempt to obtain the loss mitigation solution appropriate to [Johnson's] situation."
4. In February 2009, Johnson contemporaneously executed two separate agreements: one with EMS; the other with Respondent. Each contract provided for the same set of loss mitigation services. The contract with EMS required Johnson to pay advance-fees of \$3,495, to EMS. The contract with Respondent provided that Respondent would be compensated by EMS for her services to Johnson.
5. On April 10, 2009, Johnson paid EMS advanced-fees in the approximate amount of \$3,495. EMS paid Respondent approximately \$1200 in advanced-fees for her services to Johnson.
6. In or about April 2009, Johnson provided to EMS all of her financial information and documents relating to her mortgage loan, including her loan modification application.

7. In or about May 2009, Respondent terminated her working relationship with EMS.  
Respondent did not promptly retrieve Johnson's financial documents from EMS, and she did not otherwise protect Johnson's financial information and documents. Respondent did not inform Johnson that her professional relationship with EMS ended.
8. After May 2009, Respondent continued to be responsible for Johnson's loss mitigation matters.
9. Respondent did not retrieve Johnson's financial documents from EMS until August 2010, and up until that date, she did not otherwise protect Johnson's financial information and documents.

Case no. 09-O-19216

10. In 2009, Respondent and her law firm was a member of The Profit Sharing Group, Inc., a company that offered consumer services including legal services relating to mortgage loan modifications.
11. At all times pertinent herein, Respondent maintained her own law practice.
12. On May 1, 2009, The Profit Sharing Group, Inc. referred Justin Pebelier and Diane Pebelier ("Pebeliers") to Respondent for certain legal services. The Pebeliers employed Respondent to perform legal services relating to a modification of their home mortgage loan, including but not limited to, "negotiate[ing] with their current lenders on real estate to restructure the current debt in a way that will allow [the Pebeliers] to achieve and maintain financial stability."
13. On or about May 5, 2009, the Pebeliers paid Respondent advanced-fees in the amount of \$1,500.
14. Respondent did not perform any of the legal services for which she was hired.
15. Between June 2009, and September 2009, inclusive, the Pebeliers repeatedly sent messages, by telephone and email, to Respondent inquiring about the status of their matter, and asking for a reply. Respondent did not reply to any of the telephone messages and email, and she did not communicate with the Pebeliers in any other manner.

16. In September 2009, the Pebeliers terminated Respondent's employment.
17. At the time the Pebeliers terminated Respondent's employment, Respondent had not earned the fees that the Pebeliers had advanced.
18. In April 2010, the Pebeliers sent a letter to Respondent requesting their file including all financial and other personal documents that they had provided to the Respondent.  
Respondent did not respond to the letter.
19. Respondent did not refund any part of the unearned fees until September 2010.
20. To date, Respondent has not release to the Pebeliers any of their client papers and property.

ATTACHMENT 2: CONCLUSIONS OF LAW

IN THE MATTER OF:        RHONDA KAY WALKER

CASE NUMBERS:            09-O-17011, 09-O-19216

**CONCLUSIONS OF LAW**

Respondent admits, and the parties stipulate, that by his conduct described in the attached Statement of Facts, Respondent is culpable of violations of the following Rules of Professional Conduct.

Case no. 09-O-17011

By accepting compensation from a non-client, and allowing the non-client to maintain possession and control of her client's financial information and documents even after her professional relationship with the non-client has ended, Respondent failed to protect Johnson's confidential financial information as required by Business and Professions Code section 6068(e), in willful violation of Rules of Professional Conduct, rule 3-310(F).

Case no. 09-O-19216

By not performing the services for which the Pebeliers hired her, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

By not responding to the Pebeliers' inquiries about the status of their matter over a four-month period, Respondent failed to respond promptly to her clients' reasonable status inquiries about the loan modification matter in which Respondent had agreed to provide legal services, in willful violation of Business and Professions Code section 6068(m).

By not refunding the unearned fees to the Pebeliers until September 2010, and after disciplinary investigation had begun, Respondent wilfully violated Rules of Professional Conduct, rule 3-700(D)(2).

By not releasing to the Pebeliers their client papers and property, after termination of her employment, despite their requests, Respondent wilfully violated Rules of Professional Conduct, rule 3-700(D)(1).

### ATTACHMENT 3: SUPPORTING AUTHORITY

IN THE MATTER OF:        RHONDA KAY WALKER

CASE NUMBERS:            09-O-17011, 09-O-19216

#### **SUPPORTING AUTHORITY**

Culpability of a member of wilfully failing to perform services in an individual matter or matters not demonstrating a pattern of misconduct or culpability of a member of wilfully failing to communicate with a client shall result in reproof or suspension depending upon the extent of the misconduct and the degree of harm to the client. *Rules of Procedure of the State Bar of California, Standard 2.4(b).*

Culpability of a member of a wilful violation of any Rule of Professional Conduct not specified in these standards shall result in reproof or suspension according to the gravity of the offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in standard 1.3. *Rules of Procedure of the State Bar of California, Standard 2.10.*

Respondent violated rule 3-310(F) by permitting the non-attorney immigration services providers who referred immigration clients to him to pay his attorney's fees for representing the clients they referred to him. Under rule 3-310(F), an attorney may accept payment of his legal fees from a third party only if there is no interference with independence of attorney's professional judgment or the attorney-client relationship, information relating to the representation remain protected as client confidences and secrets, and the attorney obtains the clients' informed written consent. Where respondent permitted the referring non-attorneys to restrict the nature and extent of the legal advice he provided to the alien clients, and to restrict the legal services he provided to the alien clients, all to the detriment of the clients, respondent is found to have violated Rules of Professional Conduct, rule 3-310(F). *In the Matter of James Robert Valinoti* (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 498.

In *In the Matter of Aguiluz* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 32, the Supreme Court adopted the recommendation that the attorney be given one year stayed suspension and two years probation for failing to perform competently and abandonment of the client's case. Both mitigating and aggravating circumstances were found, including the attorney's lack of prior discipline. *See, also, In the Matter of Hanson* (Review Dept. 1994) 2 Cal. State Bar Ct. Rptr. 703.


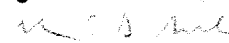
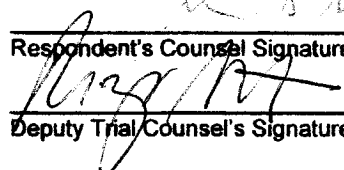
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In the Matter of  
Rhonda Kay Walker

Case number(s):  
09-O-17011, 09-O-19216

### SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Fact, Conclusions of Law and Disposition.

<u>9-15-10</u> Date	 Respondent's Signature	<u>Rhonda Kay Walker</u> Print Name
<u>9-14-10</u> Date	 Respondent's Counsel Signature	<u>Matthew S. Gibbs</u> Print Name
<u>9/15/10</u> Date	 Deputy Trial Counsel's Signature	<u>Rizamari C. Sitton</u> Print Name



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In the Matter Of  
Rhonda Kay Walker

Case Number(s):  
09-O-17011, 09-O-19216

### ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- ☐ The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- ☒ The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- ☐ All Hearing dates are vacated.

Respondent's date of admittance to the state Bar  
is December 12, 1994 [not 1004]. (Para. A (1).)

The stipulation "consists of 16 pages, [not 17 pages],  
not including the order. [Para. A (3).]

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 135(b), Rules of Procedure.) The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)

10/8/10  
Date

  
Judge of the State Bar Court

**DONALD F. MILES**

## CERTIFICATE OF SERVICE

[Rule 62(b), Rules Proc.; Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on October 13, 2010, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND  
ORDER APPROVING

in a sealed envelope for collection and mailing on that date as follows:

- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

MATTHEW S. GIBBS, ESQ.  
137 N LARCHMONT BLVD #193  
LOS ANGELES, CA 90004

- ☒ by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

RIZAMARI SITTON, ESQ., Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on October 13, 2010.



Rose Luthi  
Case Administrator  
State Bar Court